

UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF WYOMING

STEPHANIE WADSWORTH, individually
and as Parent and legal guardian
of WW, KW, GW and SW, minor
children of MATTHEW WADSWORTH,
Plaintiffs, Case No.
2:23-cv-00118-NDF

vs.
WALMART, INC., and JETSON ELECTRIC
BIKES, LLC,

Defendants.

VIDEO-RECORDED DEPOSITION OF:
CORPORATE REPRESENTATIVE OF
JETSON ELECTRIC BIKES

SAM HUSAIN

TAKEN AT: McCOY, LEAVITT, LASKEY LAW
LOCATED AT: N19 W24200 Riverwood Drive
Waukesha, Wisconsin

May 17, 2024

9:36 a.m. to 2:11 p.m.

REPORTED BY: VICKY L. ST. GEORGE, RMR.

JOB NO. 6646833

1 or served in.

2 A. Prior to this was director of product development,
3 and that is the only other role I have had in this
4 company.

5 Q. Okay. Describe for the ladies and gentlemen of the
6 jury that might see this deposition or read the
7 transcript what some of your duties and
8 responsibilities are as VP of product development.

9 A. Sure. My job is to go source product for the brand
10 which is Jetson, develop the product as well and work
11 with our customers on -- and follow the market trends
12 on the product demand and the product development
13 needs for that year, that season, that quarter.

14 Q. Okay. When you say source the product for the brand,
15 what does that mean?

16 A. Source meaning we would -- I would go out to look for
17 a product that is in demand or in need or is asked
18 for, and that is done overseas at the manufacturing
19 plants, manufacturing partners, and that's what
20 sourcing defines in our industry.

21 Q. Okay. Perhaps my layman's understanding but Jetson
22 Electric Bikes LLC, is that the corporate name?

23 A. That is.

24 Q. Jetson imports and distributes and sells electric
25 bikes?

1 A. Correct.

2 Q. Hoverboards?

3 A. Correct.

4 Q. Electric scooters?

5 A. Correct.

6 Q. Any other products?

7 A. Nonelectric scooters.

8 Q. Okay.

9 A. Nonelectric bikes. That should cover the majority.

10 There is also, sorry, there is also electric
11 ride-ons. Those are like the little cars that kids
12 would ride. That should be it.

13 Q. Of those various products that Jetson imports and
14 sells or distributes, which one of them is the best
15 seller for Jetson?

16 A. I would probably say electric bikes has been the
17 category that's been the top selling.

18 Q. Okay. Has that changed over the years meaning some
19 years maybe another one of the products was selling
20 better and then eventually electric bikes kind of
21 took over?

22 A. Sure, it varies from season to season, time to time,
23 year to year.

24 Q. Have you always sold Hoverboards, electric bikes and
25 electric scooters?

1 A. No. It would be CPSC counsel that would have
2 consulted so I'm not aware.

3 Q. Who was the manufacturer for the Jetson Rogue
4 Hoverboard?

5 A. There was two manufacturers.

6 Q. Okay. Who were they?

7 A. Jomo is one of them and the other one was E-Link.

8 Their full entity names are -- I don't remember.

9 They're long.

10 Q. Okay. The components that go into a Hoverboard,
11 whether the Rogue model or the Plasma model, is
12 Jetson involved in selection of the manufacturer of
13 those components?

14 A. No.

15 Q. Does Jetson leave that to the manufacturer of the
16 unit?

17 A. That is correct.

18 Q. Do you know sitting here today whether the battery or
19 batteries that are installed in the Plasma
20 Hoverboard, if they are the same or different than
21 those installed in the Jetson Rogue?

22 A. I believe they are different.

23 Q. What do you rely upon for that?

24 A. The manufacturer is obviously different than what --
25 where the Rogue was manufactured, and we rely on the

1 A. This would have been done with the guidance of the
2 CPSC counsel.

3 Q. Okay. Now, if you turn to the second page, this, of
4 course, relates to the Rogue Hoverboard but it states
5 "in cooperation with the US Consumer Product Safety
6 Commission, Jetson Electric Bikes, LLC is conducting
7 a voluntary recall of all Jetson Rogue 42v
8 self-balancing scooters/hoverboards."

9 Did I read that correctly?

10 A. Yes.

11 Q. And at least according to this publication by Jetson,
12 the recall of the Rogue boards was a voluntary recall
13 on behalf of Jetson?

14 A. Correct.

15 Q. Do you know why the voluntary recall was initiated?

16 A. Out of abundance of the guidance from CPSC that we
17 did, that we got, and the CPSC counsel, we did it out
18 of abundance.

19 Q. Abundance of what, caution?

20 A. That's correct. Sorry, I didn't finish my sentence.

21 Q. Due to the concerns voiced by the CPSC on the -- on
22 Exhibit 54?

23 A. I'm not sure if it was exactly this Exhibit 54. I
24 would have to consult with the CPSC counsel on what
25 exact document we had referred to.

1 Q. The recall included units manufactured in 2018 and
2 2019, correct?

3 A. Correct.

4 Q. Do you know whether or not the units from '18 and '19
5 would have received or been subject to a UL
6 certification renewal during those two years?

7 A. I do not know.

8 Q. In the middle portion of this second page it states
9 "no other Jetson Hoverboards are included in the
10 voluntary recall."

11 Whose decision was it not to include any
12 other Jetson Hoverboards in the recall?

13 A. This was at the guidance of the CPSC counsel.

14 Q. Did Jetson discuss internally the effect and impact
15 of recalling other or more Hoverboards aside from the
16 Rogue model?

17 A. No.

18 Q. Why not?

19 MR. LAFLAMME: Object to form.

20 THE WITNESS: At the CPSC guidance and the
21 counsel's guidance, this was only for a Jetson Rogue
22 42v self-balancing scooter as it states here.

23 BY MR. AYALA:

24 Q. Well, is the CPSC counsel responsible for determining
25 the safety risks or concerns of the Jetson

1 Hoverboards?

2 A. The Jetson Rogue Hoverboard, the combination of
3 components that are used in the Jetson 42 volt Rogue
4 Hoverboard are not shared with any other Hoverboard
5 that Jetson manufactured. Therefore, it is not in
6 any other Hoverboard -- therefore, that's why this
7 letter states no other Hoverboards are included in
8 this voluntary recall.

9 Q. Where in this voluntary recall does it state that it
10 was in fact the combination of components that
11 resulted in the fire or overheating?

12 MR. LAFLAMME: Object to form, document
13 speaks for itself.

14 BY MR. AYALA:

15 Q. Does it say it anywhere?

16 MR. LAFLAMME: Object to form, document
17 speaks for itself.

18 THE WITNESS: It states the model and it
19 states the lithium ion battery pack.

20 BY MR. AYALA:

21 Q. Right.

22 A. As you stated. So I would -- my understanding at
23 least from reading this right now would be that they
24 indicate the model and they indicate the battery
25 pack.

1 company or counsel.

2 Q. Before March 30th, 2023, did Jetson know that the
3 battery pack of the Jetson Rogue posed a fire hazard
4 due to overheating?

5 A. No.

6 Q. It never received any notice or complaint or concern
7 from anyone including manufacturers about that
8 concern?

9 MR. LAFLAMME: Object to form.

10 THE WITNESS: I believe I stated the
11 customer service team might have had some inquiries
12 from customers stating any of those, but again, I
13 don't know the details off the top of my head of
14 those circumstances and the use and et cetera as I
15 mentioned earlier of a product causing a thermal
16 event or a heat.

17 BY MR. AYALA:

18 Q. And you also don't know the number of complaints
19 received by Jetson relating to overheating concerns
20 or fire hazard concerns with the Rogue prior to this
21 notice by the CPSC?

22 A. I don't remember the exact number.

23 Q. Okay. Prior to the incident that we're here about in
24 February of 2022, did Jetson receive any complaints
25 from customers or concerns from customers relating to

1 overheating or fire hazards?

2 MR. LAFLAMME: Object to form.

3 MR. AYALA: Relating to this Hoverboard,
4 the Plasma.

5 MR. LAFLAMME: The Plasma.

6 THE WITNESS: I believe there were two
7 incidents, one of them was settled and another one
8 was determined it was an RC powered battery, an RC
9 car powered battery and was not our product Jetson
10 Plasma.

11 BY MR. AYALA:

12 Q. Okay. And so those are the only two complaints or
13 concerns that Jetson received prior to February 2022
14 about the Plasma overheating or creating a fire risk,
15 or are you saying that those are the only two claims
16 or potential claims that arose?

17 A. Those are the two potential claims that arose
18 regarding the product Jetson Plasma.

19 Q. Okay. And so my question was a little bit different.
20 My question was how many complaints by
21 customers were received prior to February 2022
22 relating to the Plasma and overheating or fire
23 hazard?

24 A. Those were the two.

25 Q. Okay. No comments, no emails, no inquiries prior to

1 February 2022 other than the two that you've just
2 described?

3 A. That is correct in regards to the heating or an
4 overheat of this Jetson Plasma.

5 Q. Okay. What other complaints were received relating
6 to the Jetson Plasma that did not relate to the
7 overheating or fire hazard?

8 MR. LAFLAMME: Object to form, exceeds the
9 scope. Scope is limited to fire and overheating
10 issues.

11 THE WITNESS: I don't know that number.

12 BY MR. AYALA:

13 Q. When a customer voices a concern or a complaint about
14 a product such as the Plasma Hoverboard, who reviews
15 that at Jetson?

16 A. It would be the customer service team.

17 Q. Would that have been true back in 2021?

18 A. Yes.

19 Q. And 2022?

20 A. Yes.

21 Q. And who heads the customer service team?

22 A. I'm trying to recall. You're saying, again, back in
23 2021, 2022?

24 Q. Yeah.

25 A. I believe it was Devon Ramdan.

1 complaints, customer complaints or concerns even
2 predating her employment with Jetson?

3 A. Yes.

4 Q. This voluntary recall notice went on and included
5 stickers of the UL certification and similar warning
6 labels as the Plasma ones that we've already gone
7 over, correct?

8 A. That is correct.

9 Q. Aside from the 2.0 versus 2.5 capacity difference
10 between the Rogue and the Plasma, any other
11 difference in the battery pack that you're aware of?

12 A. That I am aware of, I mean the cell manufacturer is
13 obviously going to be different. And when I say the
14 cell manufacturer, that's the inside of the battery
15 pack.

16 Q. Okay. You know that for a fact?

17 A. Yes. Sorry, I had to think back.

18 Q. That's okay. Who was the cell manufacturer for the
19 Plasma battery pack?

20 A. I don't remember the exact name.

21 Q. How about for the Rogue?

22 A. Dongwon. Again, I can't recall the exact full name
23 of the cell manufacturer. I would have to look it
24 up.

25 Q. Okay. Following the voluntary recall or even prior

1 Q. Has that give or take 20 been true as of 2020 all the
2 way through current?

3 A. Give or take, yes.

4 Q. If some of the public records indicate that Jetson
5 has or has had an annual revenue exceeding \$15
6 million a year, you wouldn't have any knowledge one
7 way or another on that issue?

8 MR. LAFLAMME: Object to form, exceeds the
9 scope.

10 THE WITNESS: I would not.

11 MR. AYALA: Give me, how about we take a
12 couple minutes, and I'll review my notes and see if
13 we're just about done.

14 THE VIDEO OPERATOR: We're going to go off
15 the record at 1:38 p.m. with the end of media unit
16 No. 3.

17 (Recess taken.)

18 THE VIDEO OPERATOR: We're back on the
19 record at the beginning of media No. 4 at 1:43 p.m.
20 Counsel, you may proceed.

21 BY MR. AYALA:

22 Q. When shipments come from China, does Jetson take
23 possession of those shipments or are they distributed
24 directly to the retailers?

25 MR. LAFLAMME: Talking all products?

1 MR. AYALA: Just the Hoverboards.

2 THE WITNESS: It varies retailer by
3 retailer. All in the Hoverboard category. Sorry.
4 It's a little complicated but I can explain.

5 BY MR. AYALA:

6 Q. Uncomplicate it for me.

7 A. So in regards to the Plasma, Plasma was an exclusive
8 product for Wal-Mart. What I mean by exclusive, it
9 is only sold either at Wal-Mart or Wal-Mart.com and
10 then maybe on Ride Jetson which is our website
11 because it's consumer. And for Wal-Mart specifically
12 it is brought in from overseas into a warehouse in
13 California and from there it's distributed out to the
14 Wal-Mart DCs or the consumer DCs.

15 Q. Okay.

16 A. And from there it goes to the stores.

17 Q. And so Jetson really never takes possession of those
18 units, specifically talking about the Plasma, they
19 never take possession of the units when they are
20 coming from overseas?

21 A. We do. The warehouse that it gets into from the port
22 to the warehouse, that is a Jetson --

23 Q. In California you're talking about?

24 A. In California, sorry.

25 Q. And then from there it goes to the Wal-Mart

1 distribution centers throughout?

2 A. That is correct.

3 Q. Okay.

4 A. And then from there it goes to the stores.

5 Q. Gotcha.

6 A. Sorry to add on.

7 Q. Do the Plasma Hoverboards already come boxed meaning

8 in the box that they are presented to the customer in

9 or does that take place in California?

10 A. They are boxed as it would be -- they're boxed, call

11 it sealed because they're taped, and they would be

12 loaded into a container overseas from the container

13 to California.

14 Q. Gotcha. All of the -- the design of the unit, the
15 manufacturer of the unit and its components and the
16 boxing of the units takes place overseas; is that
17 fair?

18 A. You said something that I should correct. Design of
19 the box?

20 Q. No, no, the design of the unit.

21 A. Yes.

22 Q. The design of the box takes place over here.

23 A. That is correct.

24 Q. In the United States?

25 A. That is correct.

1 A. Sorry, have I given you --

2 Q. The names of all of the manufacturers for the Plasma
3 Hoverboard unit and components?

4 A. I don't believe I've given you the name of the
5 manufacturer of the Plasma Hoverboard, I just gave
6 you the owner's name.

7 Q. So what are the names of the manufacturers?

8 A. ADX is the manufacturer's name.

9 Q. A as in apple?

10 A. ADX, yup, apple, David, x-ray. That's their name
11 that they go by. I don't know if there is like a
12 Chinese entity name that's a little different but
13 usually is.

14 Q. Where in China are they located?

15 A. Yuyang.

16 Q. Has it been the same manufacturer for the Plasma
17 since 2020?

18 A. Yes.

19 Q. Are they the only manufacturer for the Plasma?

20 A. That is correct.

21 Q. How about for the Plasma components. What are the
22 names of those manufacturers that you deal with?

23 A. I don't have all those names off the top of my head,
24 but the manufacturer where this is ADX, they would
25 have the -- they would have a UL report which would

1 have all the manufacturer names on there.

2 Q. Does ADX select the component manufacturers that it
3 works with?

4 A. Yes.

5 Q. Does Jetson have any input in that?

6 A. Not necessarily.

7 Q. Do you know the name of the battery manufacturer for
8 the Plasma?

9 A. Elite if I'm not mistaken. E L I T E.

10 Q. Has that been the same since 2020?

11 A. I believe so.

12 Q. That's the same manufacturer as for the Rogue,
13 correct?

14 A. The battery pack manufacturer?

15 Q. Yes, sir.

16 A. Yes.

17 Q. And I understand as you stated earlier that the cells
18 have a different manufacturer between the Rogue and
19 the Plasma?

20 A. That is correct. And the capacity, sorry.

21 Q. To your knowledge has any individual or entity ever
22 concluded that the cells in the Rogue battery pack
23 were what was causing the risk of fire?

24 A. No.

25 Q. Simply that it was an issue with the battery pack?

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C E R T I F I C A T E

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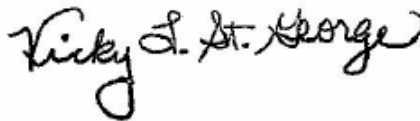
MILWAUKEE COUNTY)

I, VICKY L. ST. GEORGE, Registered Merit Reporter and Notary Public in and for the State of Wisconsin, do hereby certify that the preceding deposition was recorded by me and reduced to writing under my personal direction.

I further certify that said deposition was taken at the offices of MCCOY, LEAVITT, LASKEY LAW, N19 W24200 Riverwood Drive, Waukesha, Wisconsin on May 17, 2024, commencing at 9:36 a.m. and concluding at 2:11 p.m.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

In witness whereof, I have hereunto set my hand and affixed my seal of office at Milwaukee, Wisconsin, this 21st day of May, 2024.



VICKY L. ST. GEORGE

Notary Public in and for the
State of Wisconsin

Commission Expires 1/29/2025